

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CDBD HOLDINGS,

Plaintiff,

-against-

ELIZABETH SLAVUTSKY, et al.,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/28/2024

23-CV-71 (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

The Court has received and reviewed attorney Robert Lehr's application, dated February 27, 2024 (Mtn.) (Dkt. 94), for leave to withdraw as counsel of record for defendants. Attorney withdrawal applications are governed by Local Civ. R. 1.4, which requires, among other things, that "[a]ll applications to withdraw must be served upon the client." Mr. Lehr having satisfied this requirement (*see* Dkt. 95), it is hereby ORDERED that, no later than **March 1, 2024**, counsel shall also serve a copy of this Order on his clients, and file proof of such service on the docket.

It is further ORDERED that if defendants wish to respond to attorney Lehr's application for leave to withdraw, they may do so in the form of a letter (in pdf format, showing the name and signature of its author) emailed to the Court at [Moses\\_NYSDChambers@nysd.uscourts.gov](mailto:Moses_NYSDChambers@nysd.uscourts.gov), or in the form of an original letter (with an ink signature) delivered to the Court by mail, courier, or overnight delivery service, addressed to:

Chambers of the Hon. Barbara Moses  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Defendants' letter must include **the name and docket number of this case**, and **must be emailed or delivered no later than March 8, 2024**. Defendants must also serve a copy of their

response on Mr. Lehr (at the same time they submit that response to the Court), but need not serve a copy on plaintiff.

Should plaintiff wish to oppose Mr. Lehr's application, it shall also do so no later than **March 8, 2024**, via ECF.

Judge Moses will consider the withdrawal application at the conference scheduled for **March 12, 2024, at 10:00 a.m.**, in Courtroom 20A of the Daniel Patrick Moynihan Courthouse. (See Dkt. 92.)<sup>1</sup> Mr. Lehr's clients are welcome to attend the March 12 conference. However, unless the Court orders otherwise after receipt of any responding letters, they are not required to do so.

Dated: New York, New York  
February 28, 2024

**SO ORDERED.**



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**BARBARA MOSES**  
**United States Magistrate Judge**

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<sup>1</sup> By letter dated February 27, 2024 (Dkt. 93), defendants notified the Court that individual defendant Elizabeth Slavutsky filed for bankruptcy protection in the Southern District of Florida, under Chapter 13 of the Bankruptcy Code, on January 15, 2024. See Pet. (Dkt. 1), *In re Slavutsky*, No. 24-BK-10359-CLC (Bankr. S.D. Fla. Jan. 15, 2024). However, on February 5, 2024, her case was dismissed. See Order Dismissing Case (Dkt. 12), *In re Slavutsky*. Consequently, there appears to be no bankruptcy stay in effect. See 11 U.S.C. § 362(c)(2)(B) (providing that the automatic bankruptcy stay concludes when the case is dismissed).